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EXAMINER

IQBAL, KHAWAR

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2617

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/881,452

Applicant(s)

HARMA, ESA

Examiner

Khawar Iqbal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Hawkins et al (6009458).
3. Regarding claim 1 Hawkins et al teaches a method for distributing a recreational application within a group of mobile terminal of a cellular radio system, the method comprising the steps of (figs. 1-12):

transmitting from a first terminal (User # 1,106) of said group if terminals to a second terminal (User # 2, 108) said group if terminals a proposal (since user enters into a chat room, selects an opponent to play a game, user proceeds to play game by initiation of a session, it is clear that the user will transmit a proposal to the opponent for a session so that they can play the game (col.20, lines 37-41)) for setting up a session of utilising a recreational application (col.20, lines 37-41) and only after the second terminal has received said proposal (col. 18,line 55-col. 19, line 8, also see figs. 1-2), using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal and the second

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terminal arrangement possess executable software components (if the opponent of the user does not have the necessary client software, the opponent will be given an offer to download software so that he can have the necessary software to play the game (col.20, lines 18-28)) of said recreational application for setting up a common, shared session and for executing said recreation application on said first and second terminals (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 36 Hawkin et al teaches a terminal of a cellular radio system, comprising means for exchanging proposals for setting up sessions of utilising a recreational application with other terminals in a wireless network system (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1) and means for responding to a situation where such proposals have been exchanged by using a communicational capability of said terminal to establish a state where both it and another terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1).

Regarding claim 37 Hawkin et al teaches a method for distributing recreational application within a group of terminal arrangements, where the group comprises at least two terminal arrangements and each terminal arrangement comprises a terminal of a wireless network system, the method comprising (figs. 1-3):

transmitting from first terminal to a second terminal proposal for setting up a session of utilising a recreational application and only after the second terminal has received said proposal (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim

1), using the communicational capabilities of at least one of the first and second terminal to establish state where both the first terminal and the second terminal possess enough software components to, upon the receipt an enabling token (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1), execute software of said recreational application, said software being available execution the first terminal and the second terminal, for setting up common, shared session utilising said recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1).

Regarding claim 38 Hawkin et al teaches a terminal arrangement comprising wireless network system, comprising (figs. 1-3): means for exchanging proposals for setting up sessions utilising recreational application with other terminal in a wireless network system and terminal a means been exchanged by establish a state where responding situation where such proposals have its communicational capabilities another terminal arrangement possess enough resident software components of said recreational application for execution the terminal arrangement and another terminal, upon the receipt of an enablement token, for setting up common, shared session and executing said recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1).

Regarding claim 39 Hawkin et al teaches a terminal system comprising first terminal arrangement and a second terminal arrangement, comprising (figs. 1-3)

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- in each said first and second terminal means for exchanging proposals for setting up sessions utilising recreational application with other terminal (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1) and
- in each said first and second terminal means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminal to establish state where both said first and second terminal possess enough resident executable software components said recreational application setting up a common, shared session for executing said recreational application on said first and second terminal (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1).

Regarding claim 40 Hawkinet al teaches a wireless terminals system comprising first terminal and a second terminal, comprising

- in each of said first and second terminal means exchanging proposals setting up sessions of utilising recreational application with other terminal (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1) and
- in each of said first and second terminal means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminal establish a state where both of said first and second terminal possess enough software components enable resident executable software of said recreational application for setting up a common, shared session executing said recreational application said first and second terminal (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1).

Regarding claim 41 Hawkin et al teaches a communications system for distributing a recreational application within group terminal arrangements, comprising (figs. 1-3):

first terminal arrangement, second terminal and a recreational application server (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1),

- in each said first and second terminal means for exchanging proposals setting up sessions of utilising recreational application with other terminal (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1) and

- in each of said first and second terminal and said recreational application server means for responding to a situation where such proposals have been exchanged by using communicational capabilities first and second terminal and said recreational application server establish state where both of said first and second terminal possess resident executable software components of said recreational application for setting up a common (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1), shared session for executing said recreational application on said first and second terminal (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1).

Regarding claim 42 Hawkin et al teaches wireless communications system distributing a recreational application within group of terminal arrangements, comprising (figs. 1-3)

first terminal, a second terminal arrangement and a recreational application server (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1), each of

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said first and second terminal means exchanging proposals for setting up sessions utilising recreational application with other terminal and each of said first and second terminal and said recreational application server means for responding to a situation where such proposals have been exchanged by using communicational capabilities the first and second terminal (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1) and said recreational application server to establish a state where both of said first and second terminal arrangements possess resident software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminal (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1).

Regarding claim 43 Hawkin et al teaches a computer program product computer a terminal a wireless network system causing transmit from first terminal to a second terminal arrangement a proposal for setting up session of utilising recreational application and only after the second terminal has received said proposal, using communicational capabilities first terminal to establish state where both the first terminal and the second terminal possess resident executable software components of said recreational application for setting up a common, shared session executing said recreational application said first and second terminal (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1).

Regarding claim 44 Hawkin et al teaches a computer program product which, upon execution computer of terminal of a wireless network system, produces transmitting from first terminal to a second terminal proposal for setting up a session of



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utilising a recreational application and only after the second terminal has received said proposal (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1), using communicational capabilities first terminal establish state where both the first terminal the second terminal possess resident software components of said recreational application for setting up common, shared session for executing said recreational application on said first and second terminal (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2 and claim 1).

Regarding claim 2 Hawkinet al teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), shared session of utilising one of said proposed recreational applications and as a response to receiving said request in said first terminal arrangement, transmitting said software component from the first terminal arrangement to the second terminal arrangement (col. 20, lines 36-40 and 50-60, see above).

Regarding claim 3 Hawkinet al teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 4 Hawkin et al teaches comprises the sub step of transmitting said software component from the first terminal arrangement to the second terminal arrangement through a local communication link (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 5 Hawkin et al teaches comprises the sub step of transmitting said software component from the first terminal arrangement to the second terminal arrangement through the cellular radio system (fig. 1, see claim 1).

Regarding claim 6 Hawkin et al teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 7 Hawkin et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), transmitting from the second terminal arrangement to a recreational application server a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), and as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the

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second terminal arrangement (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 8 Hawkinet al teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 9 Hawkinet al teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and, indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 10 Hawkinet al teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications, as a response to receiving said request in said first terminal arrangement (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), transmitting a network address of a recreational application server from the first terminal arrangement to the second terminal arrangement, transmitting from the second terminal

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arrangement to said recreational application server a request for obtaining a software component necessary for setting up a common (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), shared session of utilising one of said proposed recreational applications and as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal arrangement (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 11 Hawkin et al teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 12 Hawkin et al teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and, indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 13 Hawkin et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for

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setting up a common, shared session of utilising one of said proposed recreational applications, as a response to receiving said request in said first terminal arrangement (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), transmitting from the first terminal arrangement to a recreational application server a request for downloading into the second terminal arrangement a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2) as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal arrangement (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 14 Hawkinet al teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 15 Hawkinet al teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 16 Hawkin et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications, as a response to receiving said request in said first terminal arrangement, transmitting from the first terminal arrangement to a recreational application server a request for downloading into the first terminal arrangement a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the first terminal arrangement and as a response to receiving said software component, transmitting from the first terminal arrangement to the second terminal arrangement a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 17 Hawkin et al teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance

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concerning one of said number of proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 18 Hawkins et al teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and, indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 19 Hawkins et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications, transmitting from the second terminal arrangement to the first terminal arrangement a first acknowledgement indicating agreement to set up a common, shared session of utilising one of said proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), transmitting from the first terminal arrangement to a recreational application server a first request for obtaining a software component necessary for setting up a common (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), shared session of utilising said one of said proposed recreational applications, transmitting from the second terminal arrangement to a recreational application server a second request for obtaining a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications, as a response to receiving said first request in said recreational application server, transmitting the requested software component from said recreational application server to the first terminal

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arrangement (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), as a response to receiving said second request in said recreational application server, transmitting the requested software component from said recreational application server to the second terminal arrangement and exchanging a pair of messages between the first and second terminal arrangements indicating the readiness of utilising the recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 20 Hawkins et al teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 21 Hansted teaches the step of indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (see claim 1).

Regarding claim 22 Hawkins et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal for setting up a common, shared session of utilising a recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), transmitting from the second terminal arrangement to the first terminal arrangement a proposal identifying a number of proposed recreational applications, transmitting from the first terminal arrangement to the second terminal arrangement a request for obtaining a software component necessary for



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setting up a common, shared session of utilising one of said proposed recreational applications and as a response to receiving said request in said second terminal arrangement, transmitting said software component from the second terminal arrangement to the first terminal arrangement (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 23 Hawkin et al teaches the step of presenting said number of proposed recreational applications to the user of the first terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 24 Hawkin et al teaches indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 25 Hawkin et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a complete copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 26 Hawkin et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a limited copy of those software components which the first terminal uses for setting up a common, shared session of

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utilising said recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claims 27,34,35 Hawkinet al teaches transmitting from the first terminal arrangement to the second terminal arrangement a more advanced copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 28 Hawkinet al teaches transmitting from the first terminal arrangement to the second terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application, forwarding said authenticated offer from the second terminal arrangement to a recreational application server (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), and transmitting from said recreational application server to the second terminal arrangement a limited copy of software components needed for setting up a common, shared session of utilising said recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 29 Hawkinet al teaches imposing a charge to the user of the first terminal arrangement for setting up a common, shared session of utilising said

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recreational application together with the particular second terminal arrangement in question (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 30 Hawkin et al teaches transmitting from the second terminal arrangement to the first terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application, forwarding said authenticated offer from the first terminal arrangement to a recreational application server, and transmitting from said recreational application server to the second terminal arrangement a copy of software components needed for setting up a common, shared session of utilising said recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 31 Hawkin et al teaches imposing a charge to the user of the second terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 32 Hawkin et al teaches transmitting from the second terminal arrangement to the first terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application, forwarding said authenticated offer from the first terminal arrangement to a recreational application server together with another authenticated offer from the first terminal arrangement for setting up a common, shared session of utilising said recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2), and transmitting from said recreational application server to the terminal arrangements copies of software

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components needed for setting up a common, shared session of utilising said recreational application (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

Regarding claim 33 Hawkinet al teaches imposing charges both to the user of the second terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question and to the user of the first terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular second terminal arrangement in question (col. 18, line 55-col. 19, line 8,col. 20. lines 19-29, also see figs. 1-2).

4. Claims 1-44, are rejected under 35 U.S.C. 102(e) as being anticipated by Perlman (6134590).

5. Regarding claim 1 Perlman et al teaches a method for distributing a recreational application within a group of terminal arrangements, where the group comprises at least two terminal arrangements and each terminal arrangement comprises a terminal of a cellular radio system, the method comprising the steps of:

transmitting from a first terminal arrangement to a second terminal arrangement a proposal (since user enters into a chat room, selects an opponent to play a game, user proceeds to play game by initiation of a session, it is clear that the user will transmit a proposal to the opponent for a session so that they can play the game (col. 4, line 41-col. 5, line 32) for setting up a session of utilising a recreational application (col. 4, line 41-col. 5, line 32) and only after the second terminal arrangement has

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received said proposal (col. 4, line 41-col. 5, line 32), using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess executable software components (col. 4, line 41-col. 5, line 32) of said recreational application for setting up a common, shared session and for executing said recreation application on said first and second terminals (col. 4, line 41-col. 5, line 32).

Regarding claim 36 Perlman teaches a terminal arrangement comprising (fig. 1) a terminal of a cellular radio system, comprising means for exchanging proposals for setting up sessions of utilising a recreational application with other terminal arrangements (col. 4, line 41-col. 5, line 32) and means for responding to a situation where such proposals have been exchanged by using its communicational capabilities to establish a state where both it and another terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application (col. 4, line 41-col. 5, line 32).

Regarding claim 37 Perlman teaches a method for distributing recreational application within a group of terminal arrangements, where the group comprises at least two terminal arrangements and each terminal arrangement comprises a terminal of a wireless network system, the method comprising (figs. 1-13):

transmitting from first terminal arrangement to a second terminal arrangement proposal for setting up a session of utilising a recreational application and only after the second terminal arrangement has received said proposal (col. 4, line 41-col. 5, line 32), using

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the communicational capabilities of at least one of the first and second terminal arrangements to establish state where both the first terminal arrangement and the second terminal arrangement possess enough software components to, upon the receipt an enabling token (col. 4, line 41-col. 5, line 32), execute software of said recreational application, said software being available execution the first terminal arrangement and the second terminal arrangement, for setting up common, shared session utilising said recreational application (col. 4, line 41-col. 5, line 32).

Regarding claim 38 Perlman teaches a terminal arrangement comprising wireless network system, comprising (figs. 1-13): means for exchanging proposals for setting up sessions utilising recreational application with other terminal arrangements and terminal a means been exchanged by establish a state where responding situation where such proposals have its communicational capabilities another terminal arrangement possess enough resident software components of said recreational application for execution the terminal arrangement and another terminal arrangement, upon the receipt of an enablement token, for setting up common, shared session and executing said recreational application (col. 4, line 41-col. 5, line 32).

Regarding claim 39 Perlman teaches a terminal system comprising first terminal arrangement and a second terminal arrangement, comprising (figs. 1-3)  
- in each said first and second terminal arrangements means for exchanging proposals for setting up sessions utilising recreational application with other terminal arrangements (col. 4, line 41-col. 5, line 32) and

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- in each said first and second terminal arrangements means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminal arrangements to establish state where both said first and second terminal arrangements possess enough resident executable software components said recreational application setting up a common, shared session for executing said recreational application on said first and second terminal arrangements (col. 4, line 41-col. 5, line 32).

Regarding claim 40 Perlman teaches a terminal system comprising first terminal arrangement and a second terminal arrangement, comprising

- in each of said first and second terminal arrangements means exchanging proposals setting up sessions of utilising recreational application with other terminal arrangements (col. 4, line 41-col. 5, line 32) and

- in each of said first and second terminal arrangements means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminal arrangements establish a state where both of said first and second terminal arrangements possess enough software components enable resident executable software of said recreational application for setting up a common, shared session executing said recreational application said first and second terminal arrangements (col. 4, line 41-col. 5, line 32).

Regarding claim 41 Perlman teaches a communications system for distributing a recreational application within group terminal arrangements, comprising:

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first terminal arrangement, second terminal arrangement and a recreational application server (col. 4, line 41-col. 5, line 32),

- in each said first and second terminal arrangements means for exchanging proposals setting up sessions of utilising recreational application with other terminal arrangements (col. 4, line 41-col. 5, line 32) and

- in each of said first and second terminal arrangements and said recreational application server means for responding to a situation where such proposals have been exchanged by using communicational capabilities first and second terminal arrangements and said recreational application server establish state where both of said first and second terminal arrangements possess resident executable software components of said recreational application for setting up a common (col. 4, line 41-col. 5, line 32), shared session for executing said recreational application on said first and second terminal arrangements (col. 4, line 41-col. 5, line 32).

Regarding claim 42 Perlman teaches communications system distributing a recreational application within group of terminal arrangements, comprising first terminal arrangement, a second terminal arrangement and a recreational application server (col. 4, line 41-col. 5, line 32), each of said first and second terminal arrangements means exchanging proposals for setting up sessions utilising recreational application with other terminal arrangements and each of said first and second terminal arrangements and said recreational application server means for responding to a situation where such proposals have been exchanged by using communicational capabilities the first and second terminal arrangements (col. 4, line 41-col. 5, line 32)



and said recreational application server to establish a state where both of said first and second terminal arrangements possess resident software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminal arrangements (col. 4, line 41-col. 5, line 32).

Regarding claim 43 Perlman teaches a computer program product computer a terminal a wireless network system causing transmit from first terminal arrangement to a second terminal arrangement a proposal for setting up session of utilising recreational application and only after the second terminal arrangement has received said proposal, using communicational capabilities first terminal arrangement to establish state where both the first terminal arrangement and the second terminal arrangement possess resident executable software components of said recreational application for setting up a common, shared session executing said recreational application said first and second terminal arrangements (col. 4, line 41-col. 5, line 32).

Regarding claim 44 Perlman teaches a computer program product which, upon execution computer of terminal of a wireless network system, produces transmitting from first terminal arrangement to a second terminal arrangement proposal for setting up a session of utilising a recreational application and only after the second terminal arrangement has received said proposal (col. 4, line 41-col. 5, line 32), using communicational capabilities first terminal arrangement establish state where both the first terminal arrangement the second terminal arrangement possess resident software components of said recreational application for setting up common, shared session for

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executing said recreational application on said first and second terminal arrangements (col. 4, line 41-col. 5, line 32).

6. Claims 1-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Shaw et al (20020083148).

7. Regarding claim 1 Shaw et al et al teaches a method for distributing a recreational application within a group of mobile terminal of a cellular radio system, the method comprising the steps of (figs. 1-7):

transmitting from a first terminal of said group if terminals to a second terminal said group if terminals a proposal for setting up a session of utilising a recreational application and only after the second terminal has received said proposal (para. # 0030-0032), using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal and the second terminal arrangement possess executable software components of said recreational application for setting up a common, shared session and for executing said recreation application on said first and second terminals (para. # 0030-0032, figs. 1 and 7).

Regarding claim 36 Shaw et al et al teaches a terminal of a cellular radio system, comprising: means for exchanging proposals for setting up sessions of utilising a recreational application with other terminals in a wireless net work system (para. # 0030-0032, figs. 1 and 7) and means for responding to a situation where such proposals have been exchanged by using a communicational capability of said terminal to establish a state where both it and another terminal arrangement possess enough

software components for setting up a common, shared session of utilising said recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 37 Shaw et al teaches a method for distributing recreational application within a group of terminal arrangements, where the group comprises at least two terminal arrangements and each terminal arrangement comprises a terminal of a wireless network system, the method comprising (figs. 1-7):

transmitting from first terminal to a second terminal proposal for setting up a session of utilising a recreational application and only after the second terminal has received said proposal (para. # 0030-0032, figs. 1 and 7), using the communicational capabilities of at least one of the first and second terminal to establish state where both the first terminal and the second terminal possess enough software components to, upon the receipt an enabling token (para. # 0030-0032, figs. 1 and 7), execute software of said recreational application, said software being available execution the first terminal and the second terminal, for setting up common, shared session utilising said recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 38 Shaw et al teaches a terminal arrangement comprising wireless network system, comprising (figs. 1-7):

means for exchanging proposals for setting up sessions utilising recreational application with other terminal in a wireless network system and terminal a means been exchanged by establish a state where responding situation where such proposals have its communicational capabilities another terminal arrangement possess enough resident software components of said recreational application for execution the terminal

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arrangement and another terminal, upon the receipt of an enablement token, for setting up common, shared session and executing said recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 39 Shaw et al teaches a terminal system comprising first terminal arrangement and a second terminal arrangement, comprising (figs. 1-7)

- in each said first and second terminal means for exchanging proposals for setting up sessions utilising recreational application with other terminal (para. # 0030-0032, figs. 1 and 7) and
- in each said first and second terminal means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminal to establish state where both said first and second terminal possess enough resident executable software components said recreational application setting up a common, shared session for executing said recreational application on said first and second terminal (para. # 0030-0032, figs. 1 and 7).

Regarding claim 40 Shaw et al teaches a of wireless terminals system comprising first terminal and a second terminal, comprising

- in each of said first and second terminal means exchanging proposals setting up sessions of utilising recreational application with other terminal (para. # 0030-0032, figs. 1 and 7) and
- in each of said first and second terminal means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminal establish a state where both of said first and second terminal

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possess enough software components enable resident executable software of said recreational application for setting up a common, shared session executing said recreational application said first and second terminal (para. # 0030-0032, figs. 1 and 7).

Regarding claim 41 Shaw et al teaches a communications system for distributing a recreational application within group terminal arrangements, comprising (figs. 1-7): first terminal arrangement, second terminal and a recreational application server (para. # 0030-0032, figs. 1 and 7),

- in each said first and second terminal means for exchanging proposals setting up sessions of utilising recreational application with other terminal (para. # 0030-0032, figs. 1 and 7) and

- in each of said first and second terminal and said recreational application server means for responding to a situation where such proposals have been exchanged by using communicational capabilities first and second terminal and said recreational application server establish state where both of said first and second terminal possess resident executable software components of said recreational application for setting up a common (para. # 0030-0032, figs. 1 and 7), shared session for executing said recreational application on said first and second terminal (para. # 0030-0032, figs. 1 and 7).

Regarding claim 42 Shaw et al teaches wireless communications system distributing a recreational application within group of terminal arrangements, comprising (figs. 1-7)

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first terminal, a second terminal arrangement and a recreational application server (para. # 0030-0032, figs. 1 and 7), each of said first and second terminal means exchanging proposals for setting up sessions utilising recreational application with other terminal and each of said first and second terminal and said recreational application server means for responding to a situation where such proposals have been exchanged by using communicational capabilities the first and second terminal and said recreational application server to establish a state where both of said first and second terminal arrangements possess resident software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminal (para. # 0030-0032, figs. 1 and 7).

Regarding claim 43 Shaw et al teaches a computer program product computer a terminal a wireless network system causing transmit from first terminal to a second terminal arrangement a proposal for setting up session of utilising recreational application and only after the second terminal has received said proposal, using communicational capabilities first terminal to establish state where both the first terminal and the second terminal possess resident executable software components of said recreational application for setting up a common, shared session executing said recreational application said first and second terminal (para. # 0030-0032, figs. 1 and 7).

Regarding claim 44 Shaw et al teaches a computer program product which, upon execution computer of terminal of a wireless network system, produces transmitting from first terminal to a second terminal proposal for setting up a session of utilising a recreational application and only after the second terminal has received said proposal

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(para. # 0030-0032, figs. 1 and 7), using communicational capabilities first terminal establish state where both the first terminal the second terminal possess resident software components of said recreational application for setting up common, shared session for executing said recreational application on said first and second terminal (para. # 0030-0032, figs. 1 and 7).

Regarding claim 2 Shaw et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (para. # 0030-0032, figs. 1 and 7), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common (para. # 0030-0032, figs. 1 and 7), shared session of utilising one of said proposed recreational applications and as a response to receiving said request in said first terminal arrangement, transmitting said software component from the first terminal arrangement to the second terminal arrangement (para. # 0030-0032, figs. 1 and 7).

Regarding claim 3 Shaw et al teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (para. # 0030-0032, figs. 1 and 7).

Regarding claim 4 Shaw et al teaches comprises the sub step of transmitting said software component from the first terminal arrangement to the second terminal arrangement through a local communication link (para. # 0030-0032, figs. 1 and 7).

Regarding claim 5 Shaw et al teaches comprises the sub step of transmitting said software component from the first terminal arrangement to the second terminal arrangement through the cellular radio system (para. # 0030-0032, figs. 1 and 7).

Regarding claim 6 Shaw et al teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component (para. # 0030-0032, figs. 1 and 7), indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 7 Shaw et al teaches transmitting from the first terminal to the second terminal arrangement a proposal identifying a number of proposed recreational applications (para. # 0030-0032, figs. 1 and 7), transmitting from the second terminal to a recreational application server a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications (para. # 0030-0032, figs. 1 and 7), and as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal (para. # 0030-0032, figs. 1 and 7).

Regarding claim 8 Shaw et al teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (para. # 0030-0032, figs. 1 and 7).



Regarding claim 9 Shaw et al teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and, indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 10 Shaw et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (para. # 0030-0032, figs. 1 and 7), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications, as a response to receiving said request in said first terminal arrangement (para. # 0030-0032, figs. 1 and 7), transmitting a network address of a recreational application server from the first terminal arrangement to the second terminal arrangement, transmitting from the second terminal arrangement to said recreational application server a request for obtaining a software component necessary for setting up a common (para. # 0030-0032, figs. 1 and 7), shared session of utilising one of said proposed recreational applications and as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal arrangement (para. # 0030-0032, figs. 1 and 7).

Regarding claim 11 Shaw et al teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (para. # 0030-0032, figs. 1 and 7).

Regarding claim 12 Shaw et al teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and, indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 13 Shaw et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (para. # 0030-0032, figs. 1 and 7), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications, as a response to receiving said request in said first terminal arrangement (para. # 0030-0032, figs. 1 and 7), transmitting from the first terminal arrangement to a recreational application server a request for downloading into the second terminal arrangement a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and (para. # 0030-0032, figs. 1 and 7) as a response to receiving said request in said recreational application server, transmitting said software

component from said recreational application server to the second terminal arrangement (para. # 0030-0032, figs. 1 and 7).

Regarding claim 14 Shaw et al teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (para. # 0030-0032, figs. 1 and 7).

Regarding claim 15 Shaw et al teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 16 Shaw et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications (para. # 0030-0032, figs. 1 and 7), transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications, as a response to receiving said request in said first terminal arrangement, transmitting from the first terminal arrangement to a recreational application server a request for downloading into the first terminal arrangement a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications (para. #

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0030-0032, figs. 1 and 7), as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the first terminal arrangement and as a response to receiving said software component, transmitting from the first terminal arrangement to the second terminal arrangement a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications (para. # 0030-0032, figs. 1 and 7).

Regarding claim 17 Shaw et al teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (para. # 0030-0032, figs. 1 and 7).

Regarding claim 18 Shaw et al teaches transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and, indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 19 Shaw et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications, transmitting from the second terminal arrangement to the first terminal arrangement a first acknowledgement indicating agreement to set up a common, shared session of utilising one of said proposed recreational

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applications (para. # 0030-0032, figs. 1 and 7), transmitting from the first terminal arrangement to a recreational application server a first request for obtaining a software component necessary for setting up a common (para. # 0030-0032, figs. 1 and 7), shared session of utilising said one of said proposed recreational applications, transmitting from the second terminal arrangement to a recreational application server a second request for obtaining a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications, as a response to receiving said first request in said recreational application server, transmitting the requested software component from said recreational application server to the first terminal arrangement (para. # 0030-0032, figs. 1 and 7), as a response to receiving said second request in said recreational application server, transmitting the requested software component from said recreational application server to the second terminal arrangement and exchanging a pair of messages between the first and second terminal arrangements indicating the readiness of utilising the recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 20 Shaw et al teaches the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (para. # 0030-0032, figs. 1 and 7).

Regarding claim 21 Shaw et al teaches the step of indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 22 Shaw et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a proposal for setting up a common, shared session of utilising a recreational application (para. # 0030-0032, figs. 1 and 7), transmitting from the second terminal arrangement to the first terminal arrangement a proposal identifying a number of proposed recreational applications, transmitting from the first terminal arrangement to the second terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and as a response to receiving said request in said second terminal arrangement, transmitting said software component from the second terminal arrangement to the first terminal arrangement (para. # 0030-0032, figs. 1 and 7).

Regarding claim 23 Shaw et al teaches the step of presenting said number of proposed recreational applications to the user of the first terminal arrangement, is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications (para. # 0030-0032, figs. 1 and 7).

Regarding claim 24 Shaw et al teaches indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 25 Shaw et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a complete copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 26 Shaw et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a limited copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question (para. # 0030-0032, figs. 1 and 7).

Regarding claims 27,34,35 Shaw et al teaches transmitting from the first terminal arrangement to the second terminal arrangement a more advanced copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 28 Shaw et al teaches transmitting from the first terminal arrangement to the second terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application, forwarding said authenticated offer from the second terminal arrangement to a recreational application server (para. # 0030-0032, figs. 1 and 7), and transmitting from said recreational application server to the second terminal arrangement a limited copy of software components needed for setting up a common, shared session of utilising said

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recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question (para. # 0030-0032, figs. 1 and 7).

Regarding claim 29 Shaw et al teaches imposing a charge to the user of the first terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular second terminal arrangement in question (para. # 0030-0032, figs. 1 and 7).

Regarding claim 30 Shaw et al teaches transmitting from the second terminal arrangement to the first terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application, forwarding said authenticated offer from the first terminal arrangement to a recreational application server, and transmitting from said recreational application server to the second terminal arrangement a copy of software components needed for setting up a common, shared session of utilising said recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 31 Shaw et al teaches imposing a charge to the user of the second terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question (para. # 0030-0032, figs. 1 and 7).

Regarding claim 32 Shaw et al teaches transmitting from the second terminal arrangement to the first terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application, forwarding said authenticated offer from the first terminal arrangement to a recreational application



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server together with another authenticated offer from the first terminal arrangement for setting up a common, shared session of utilising said recreational application (para. # 0030-0032, figs. 1 and 7), and transmitting from said recreational application server to the terminal arrangements copies of software components needed for setting up a common, shared session of utilising said recreational application (para. # 0030-0032, figs. 1 and 7).

Regarding claim 33 Shaw et al teaches imposing charges both to the user of the second terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question and to the user of the first terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular second terminal arrangement in question (para. # 0030-0032, figs. 1 and 7).

### ***Response to Arguments***

3. Applicant's arguments filed 05-03-2002 have been fully considered but they are not persuasive. The examiner has thoroughly reviewed applications argument but firmly believes the cited references to reasonably and properly meets the claim limitation.

**Applicant argument was that there is nothing in Hawkins that indicates a mobile telephone user may call another mobile telephone for the purpose of setting up a game session.** In response to applicant's arguments, the recitation "indicates a mobile telephone user may call another mobile telephone for the purpose of setting up a game session" 1) **not claim, if may explain**, 2) has not been given patentable weight

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because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951). In this case, the steps of the method in no way recite or utilize the and therefore mobile telephone fail to breath life or meaning into the preamble.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "mobile telephone") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khawar Iqbal whose telephone number is 571-272-7909.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

**JEAN GELIN**  
**PRIMARY EXAMINER**

*Khawar Iqbal*

